

TITLE 326 AIR POLLUTION CONTROL DIVISION

Rule Information Sheet

Air Permitting and Protection of the NAAQS
LSA Document #12-500

Overview

This rulemaking amends 326 IAC 2-1.1-5, 326 IAC 2-5.1-3, and 326 IAC 2-6.1-5 concerning requirements for the protection of national ambient air quality standards (NAAQS) in construction permits.

Affected Persons

This rulemaking affects sources permitted by the Office of Air Quality.

Reasons for the Rule

IDEM is proposing to amend 326 IAC 2-1.1-5 to clarify that it applies only to preconstruction approvals for construction or modification of sources or emission units similar to requirements in repealed rules at 326 IAC 2-1. The original language at 326 IAC 2-1-3(b) and its “mandatory” nature of demonstrating attainment and maintenance of NAAQS only applied to construction permits. The proposed revisions will continue to reflect Clean Air Act permitting requirements and the federally approved state implementation plan (SIP). IDEM is also proposing to amend 326 IAC 2-5.1-3(e) (construction permits) to change the applicable emission limitation requirement from applying in “this article” to “this rule” and to amend 326 IAC 2-6.1-5(a)(1) (minor source operating permits). Rule 6.1 is an operating permit program and not all permit actions under this rule require preconstruction approval where compliance with the NAAQS would be required. The language currently at 326 IAC 2-6.1-5(a)(1)(D) requiring compliance with all requirements in Title 326 and the Clean Air Act covers all necessary requirements.

Economic Impact of the Rule

There is no cost associated with this rulemaking.

Scheduled Hearings

First Public Hearing: May 8, 2013

Second Public Hearing: Tentatively scheduled for August 14, 2013

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Susan Bem, Rule Development Branch, Office of Legal Counsel, (317) 233-5697, (800) 451-6027 (in Indiana), or sbem@idem.in.gov.